

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE

|   |   |                     |
|---|---|---------------------|
| NEW ENGLAND CARPENTERS HEALTH                     | ) | 2007 DEC 21 P 4:38  |
| BENEFITS FUND; PIRELLI ARMSTRONG RETIREE          | ) |                     |
| MEDICAL BENEFITS TRUST; TEAMSTERS HEALTH          | ) | U.S. DISTRICT COURT |
| & WELFARE FUND OF PHILADELPHIA AND                | ) | DISTRICT OF MASS.   |
| VICINITY; PHILADELPHIA FEDERATION OF              | ) |                     |
| TEACHERS HEALTH AND WELFARE FUND;                 | ) |                     |
| DISTRICT COUNCIL 37, AFSCME-HEALTH &              | ) |                     |
| SECURITY PLAN; JUNE SWAN; BERNARD GORTER,         | ) |                     |
| SHELLY CAMPBELL and CONSTANCE JORDAN,             | ) |                     |
|   | ) |                     |
| Plaintiffs,                                       | ) |                     |
|   | ) |                     |
| v.  | ) | CIVIL ACTION        |
|   | ) | NO. 05-CV-11148 PBS |
| FIRST DATABANK, INC., a Missouri Corporation; and | ) |                     |
| McKESSON CORPORATION, a Delaware Corporation,     | ) |                     |
|   | ) |                     |
| Defendants.                                       | ) |                     |
|   | ) |                     |
| DISTRICT COUNCIL 37 HEALTH AND SECURITY           | ) |                     |
| PLAN, ON BEHALF OF ITSELF AND ALL OTHERS          | ) |                     |
| SIMILARLY SITUATED,                               | ) |                     |
|   | ) |                     |
| Plaintiff,  | ) |                     |
|   | ) |                     |
| v.  | ) | CIVIL ACTION        |
|   | ) | NO. 07-CV-10988-PBS |
| MEDI-SPAN, a division of WOLTERS KLUWER           | ) |                     |
| HEALTH, INC.,                                     | ) |                     |
|   | ) |                     |
| Defendant.  | ) |                     |
|   | ) |                     |

**MOTION BY DEVILLE PHARMACIES, LONG TERM CARE PHARMACY  
ALLIANCE, AND THE AMERICAN SOCIETY OF CONSULTANT PHARMACISTS  
FOR LEAVE TO FILE MEMORANDUM IN EXCESS OF PAGE LIMIT**

Pursuant to Local Rule 7.1(b)(4), proposed intervenors DeVille Pharmacies, Inc. (“DeVille”), the Long Term Care Pharmacy Alliance (“LTCPA”), and the American Society of

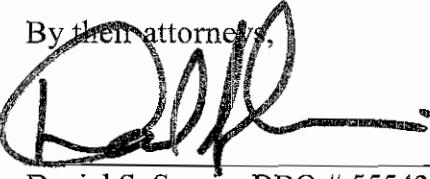
Consultant Pharmacists (“ASCP”) (together, “Movants”), move for leave to file a Memorandum of Law in Support of their Motion to Intervene and Objection to Proposed Settlements in excess of the page limit. In support of this Motion, Movants state the following:

1. Movants are seeking to intervene, and object to the proposed settlements, in the two above-captioned actions. Because Movants’ reasons for intervention are similar to the Movants’ reasons for objection, and for the Court’s convenience, they have prepared one memorandum addressing both intervention and the bases for their objections.
2. Movants, three separate entities with aligned interests, have also undertaken to present their collective arguments in a single pleading.
3. Nine additional pages are required in order for Movants to explain the various and significant reasons for their opposition to the complex proposed settlements.
4. Counsel for First DataBank has assented to this motion.

WHEREFORE, Movants respectfully requests that they be permitted to submit a memorandum in excess of the page limit, but no longer than nine pages.

Respectfully submitted,

DEVILLE PHARMACY, INC.,  
AMERICAN SOCIETY OF  
CONSULTANT PHARMACISTS, and  
LONG TERM CARE PHARMACY  
ALLIANCE

By their attorneys,  


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*Of Counsel:*

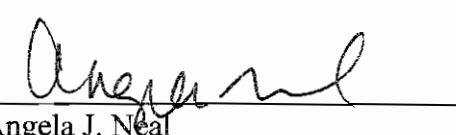
David J. Farber  
Edward D. Gehres, III  
PATTON BOGGS LLP  
2550 M Street, NW  
Washington, DC 20037

Dated: December 21, 2007

**LOCAL RULE 7.1 CERTIFICATE**

I certify that on December 19 and 21, 2007, I conferred with counsel for Plaintiffs; First Databank, Inc.; and Medi-Span regarding this motion. I was advised that First Databank does not oppose the relief sought herein. Plaintiffs and Medi-Span do not assent to the relief sought herein.

Dated: December 21, 2007

  
\_\_\_\_\_  
Angela J. Neal

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by first class mail on December 21, 2007, as follows:

Thomas M. Sobol  
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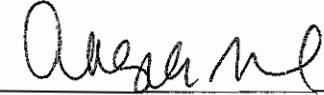
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Dated: December 21, 2007

  
\_\_\_\_\_  
Angela J. Neal